

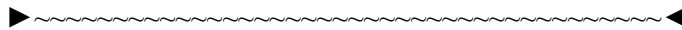


HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

May 1, 2014

Approved May 15, 2014

6:00 P.M. ~ Work Meeting (Open to the Public)



[7:08:06 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

Wayne Hill
Robyn Shakespear
Blayde Hamilton
Clint Smith
Tony DiConza
Jeremy Burkinshaw

Council Members:

Coralee Wessman-Moser, Mike Day, Matt Robinson [7:42:42 PM](#)

• **City Staff:**

Bryn McCarty; Planning Supervisor
Cindy Quick; Deputy Recorder
Blake Thomas, City Engineer

• **Guests:**

Please see the attendance sign in sheet.

1. WELCOME INTRODUCTION AND PRELIMINARY MATTERS:

Chair Hill welcomes those in attendance and thanks the City Council and Mayor for attending tonight.

1.1 [7:08:27 PM](#) Reverence / Thought: [Steve Bos](#)

1.2 [7:08:59 PM](#) Pledge of Allegiance: [Trevor Miller](#)

1.3 [7:09:36 PM](#) Roll call: Full Quorum, Wade Thompson and Jessica Morton absent

1.4 [7:09:42 PM](#) Approval of electronic minutes for: [April 17, 2014](#).

Commissioner Clint Smith **MOVES** to approve the minutes for April 17, 2014.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

2. **REGULAR AGENDA:**

2.1 [7:09:53 PM](#) [08Z14](#)– MD & L LC/Ken Olson – 5200 W 12600 S – Zone change from A-1 to RM (Multi-Family Residential) – Acres: 7.42 - Zone: A-1 (**HEARING**)

Bryn orients the commission with a map to show where this zone change is being proposed from A-1 to RM. The applicant would like to bring back more information in a couple of weeks.

[7:10:52 PM](#) Chair Hill opens up the meeting to continue the public comment portion and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members.

Citizen Comments:

Ken Olson (applicant) addresses the commission to explain that this site is between Terameer and Trax. Therefore, it will be an intense area with light rail and the existing Garbett homes on his border. He wants to soften the area with architecture. He notes that he is not asking for density in this development. He believes the density will be driven by architecture and quality of the complex.

[7:12:36 PM](#) Chair Hill closes public comment.

Commissioner Clint Smith **MOVES** to continue this item indefinitely.

Commissioner Robyn Shakespear **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

2.2 [7:13:06 PM](#) [05Z14](#)– Herriman City – Text change to the land use ordinance to allow monopolies on public and quasi public property (**HEARING**)

Bryn briefly explains that the ordinance allows monopoles in some zones but not in all. The text change to the ordinance would allow monopoles on public or quasi public property, which would allow them on city property or utility owned property, subject to all the requirements already contained in the ordinance.

7:14:19 PM Chair Hill opens up the meeting to continue the public comment portion and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members.

Citizen Comments:

Joe Salisbury, 5568 W Lookout Mesa Circle. What is a monopole? The response was a cell tower.

7:14:56 PM Chair Hill closes public comment.

Chair Hill expresses that this was discussed in the work meeting and some changes were suggested. A discussion addressing concern with allowing monopoles in the parks and the height of the poles took place. Commissioner Smith reminds the commission that this is still a conditional use. The consensus was to not allow the monopoles to be taller than 50 feet. Commissioner Tony DiConza requests that the monopoles be disguised. Commissioner Smith asks commission if they we want to limit it to public utility sights or just restrict it from parks.

Chair Hill allows a comment from Joe with Vivint. He feels limiting the visual impact is important and feels like that is the biggest concern of residents.

Chair Hill asks for a consensus from the commission.

Commissioner Blayde Hamilton **MOVES** to recommend approval to City Council on this item with the language that has been prepared for us other than #1 to disguise the poles, #2 only into utilities publics and to exclude the parks. Bryn McCarty suggests: monopoles only allowed on public or quasi public utility sites and not in public parks unless an exception is granted by the planning commission. Commissioner Hamilton concurs. Bryn continues with: the height of the pole is limited to 50 feet above grade unless approved by the planning commission for taller but in no case greater than 100. Commissioner Hamilton agrees. Commissioner Smith asks if all poles are to be disguised or only if the pole has some type of visibility. The consensus was only if there is visibility. Bryn suggests: poles may be required to be aesthetically pleasing to better blend into the surroundings.

Commissioner Tony DiConza **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

- 2.3 7:28:00 PM **15C14**– Vivint Wireless – 14075 S Sky Haven Cir – Install a 30 foot self support tower – Acres: 3.44 - Zone: A-.25

Bryn explains that this 30 foot tower will be adjacent to a water tank. She shows them the tank site and a drawing of the tower.

Steven Bos, 7608 Silver Leaf Drive, TX (applicant) describes that Vivint Wireless is a new division to provide high speed internet at speeds and prices not available in the area. They use a fiber back hall pushing radio signals with these three towers which allows us to create a mesh network to cover 95% of homes in Herriman. The towers are generally between 30 and 40 feet. These proposed sights are elevated so there aren't any encumbrances. Commissioner DiConza asked if Vivint has disguised towers in other areas? Steven responded that he hasn't for any less than 40 feet tall.

[7:33:38 PM](#) Chair Hill opens up the meeting for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members.

Stewart Matthews, 7057 Romans View Place, asks the commission what his rights are or what ability he has to stop a tower from being built in his back yard. The response was that the use is allowed in the zone and they have the right to put the tower up. As long as the conditions are met they can put up the tower. Stewart feels that it's an eye sore and he's worried about health concerns. He was asked to talk to staff or an attorney for legal concerns. He would like to know where the tower will be placed.

Commission asks applicant to please come forward and address Stewart's concerns.

Trevor Miller, 924 N Sand Hurst Drive, SLC, UT, Vivint, Senior Project Manager comments that these towers have radio frequencies and studies show they are non harmful. They emit about the same radio frequency as a home microwave would. The location is a 10 x 10 square foot area in the corner of the property. He comments that these towers proposed are small lattice towers. He comments that the city uses one on their water tower right now which is 56 feet. As for the aesthetics, they will install a one foot diameter dish to provide wireless internet.

Commissioner DiConza asks if other service providers can add to their towers. Trevor responds that other companies could but the equipment would have to be minimal and not heavy. Commissioner DiConza asks if he was approached by another company would he tear it down and put up a new one? Trevor responds that he doubts that would happen but he would consider it.

Steve Bos (applicant) explains that they've worked hard to find areas that will have the least amount of impact. They were conscious of the areas they chose to have a smaller impact.

Teddy Hodges, 13307 Copper Park Drive, would like to see an updated map for location. This is an old image. He'd like to see the current roof top heights compared to how tall these monopoles will be.

Stewart Matthews, wondering who makes the final decision. Chair Hill responds that city council will. He asks the commissioners how they would feel about having a 30 foot tower built in their back yards. Commissioner DiConza responds that he loved having one in his backyard, he couldn't even tell it was there. Wayne says it would depend on how it would be built. Stewart wonders who would discuss this with him. Commissioner Smith explains that the representatives here could address his concerns. Chair Hill suggests working with the representatives here tonight after the meeting

Paul Langlin, 5571 W Lookout Mesa Circle, he is worried about a financial impact. He feels it's good for the city and vivint won't have to go to tower companies. He feels it's possible that Vivint could be using other towers. It might be more feasible to use city properties instead of using other towers. He feels it's a disservice and that there is a financial side driving it. He asked the commission to look at other options and have Vivint prove they can't use other towers.

Steve Bos (applicant) explains that there aren't any other towers in Herriman that they can utilize. He comments that Vivint has agreed to bring high speed internet at parks in the city at no cost just as part of our

commitment. Chair Hill asks if Vivint can use public schools to locate their equipment? Steve responds that he has in Utah County. He is talking to schools by the rec center. Chair Hill asks about Fort Herriman Middle and Providence Middle. Steve responds that the best way is with our city water tanks. Utilizing the schools wouldn't allow 95% coverage. The commission asks if it's a significant loss. Steve responds that he doesn't know but he's been told 50-60%. He feels that they would bring a better product to the city. Chair Hill asks if he is willing to look at other things besides towers. Steve responds that he feels like this is the best way to bring it to the city.

Trevor Miller mentions that towers are not their first option. He added that they have looked in this area for a long time and reminds the commission that Vivint is not the same as other carriers like AT&T or verizon and even Digis. Digis is more of a broadcast and Vivint is more of a spiderweb. He explains that helps to make sure they won't slow down like the other companies do in the evening when everyone is home streaming netflix.

Chair Hill would like more information regarding alternative coverage options.

Commissioner Burkinshaw would like more information and would like Vivint to prove to the commission that this is the best option and they've exhausted all other options.

Joe Salisbury, lives in Lookout Ridge against the hill and feels this will visually impact his view. He adds that he owns a technology company and is in favor of advances. He feels the towers will put a burden on the whole city. He is also an owner of Candlelight Homes and feels that he's been greatly restricted to satisfy neighbors. Feels that Vivint should be retracted as well. He feels it's unnecessary to provide wi-fi in a city park. Encourages the commission to table this item until we have further information and find a solution to favor everyone. He also suggests allowing more towers that are small.

Chair Hill thanks those who commented for their comments and asks commission to continue all of these items until they provide more information and options for other types of coverage.

Bryn asks the commission to provide direction to Vivint with specifics that will help them make a decision when the applicant brings this item back.

Chair Hill asks for more information as far as coverage and placement. Commissioner Smith wants to look at G or additional sites they may need for their 3 year plan. Aesthetics, placement, a 3 year plan and coverage were mentioned. The request for placement of towers versus using something existing.

Joe (resident) requests that they do more smaller towers to limit the impact.

Commissioner Smith suggests they provide pictures of our existing city tower they are going to utilize to give a perspective and how it may impact the view.

Joe (resident) proposed other locations to Gordon Haight, Assistant City Manager today and wants those locations to be explored as well. Chair Hill asks him to talk to Gordon and the applicant.

Commissioner Clint Smith **MOVES** to continue this item to the next meeting scheduled on May 15, 2014.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

- 2.4 [8:09:11 PM 16C14](#)– Vivint Wireless – 5411 W Rose Summit Dr – Install 30 foot self support tower – Acres: 2.14 - Zone: FR-2.5

Commissioner Blayde Hamilton **MOVES** to continue this item.

Commissioner Robyn Shakespear **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

- 2.5 [8:09:41 PM 17C14](#)–Vivint Wireless – 5603 W Emmeline Dr – Install 6 one foot dishes on an existing city tower – Acres: 2 - Zone: R-1-15

Commissioner Robyn Shakespear **MOVES** to continue this item.

Commissioner Tony DiConza **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes

Vote passed.

Motion carried.

3. **NEW ITEMS OF SUBSEQUENT CONSIDERATION (OTHER):**

4. **ADJOURNMENT:**

Chair Hill calls for a motion to adjourn.

Commissioner Clint Smith **MOVES** to adjourn the meeting at [8:10:13 PM](#)

5. **FUTURE MEETINGS:**

- 5.1 City Council Meeting - Thursday, **May 8, 2014** @ 7:00 PM
5.2 Planning Commission Meeting - Thursday, **May 15, 2014** @ 7:00 PM

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on May 1, 2014. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.


Cindy Quick, Deputy Recorder